REMARKS

Status of the Claims

Claims 1-21 are pending in this application.

Claims 1-21 are rejected.

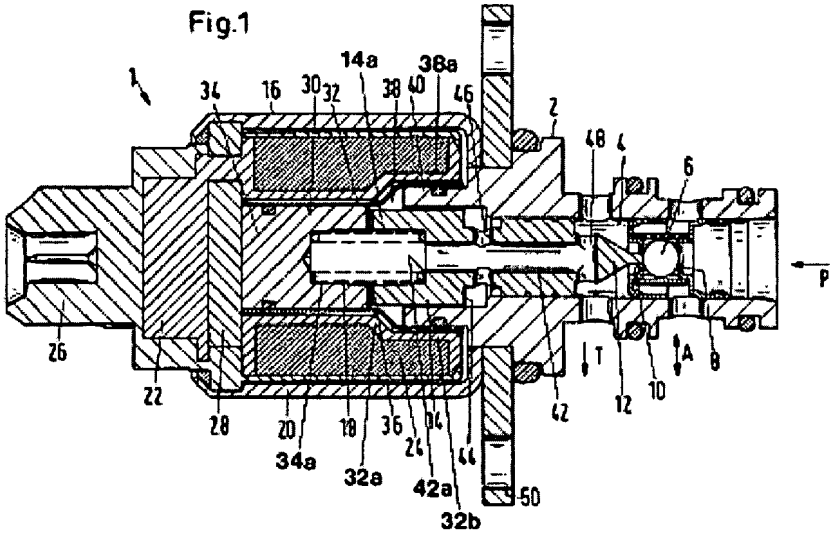
Rejection of Claims 1-21 Under 35 U.S.C. § 103

Claims 1-7, 9-13, 15-19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,336,470 to Zapf (hereafter "Zapf '470") in view of U.S. Patent No. 3,856,260 to Giordana (hereafter "Giordana '260"). This rejection is respectfully traversed. Applicant requests reconsideration of the rejection based on the following remarks.

To establish a *prima facie* case of obviousness, the combination of references would have led one of ordinary skill in the art to arrive at the claimed invention. It has been stated that "the motivation-suggestion-teaching test asks not merely what the references disclose, but whether a person of ordinary skill in the art, possessed with the understandings and knowledge reflected in the prior art, and motivated by the general problem facing the inventor, would have been led to make the combination of the recited claims." *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329 (Fed. Cir. 2006).]. In addition, a proposed combination of references fails to render the claims of an application obvious if there are differences between the prior art and the claims at issue. *Graham v John Deere Co. of Kansas City*, 383 US 1, 17 (1966), 86 S.Ct 684, 694. Taking all of the above into account Applicant maintains that there are still patentable differences in the prior art and the claims at issue.

The response the final office action argued that the proposed combination failed to teach or suggest all of the claim limitations, namely (1) a fluid control body adapted for being received in a fluid housing, said fluid control body including a central cavity; (2) a feed supply tube positioned in the central cavity and having an inner bore forming said pressure supply passage; or (3) a valve contained in said valve receiving chamber. See independent claims 1, 10 and 16 from which claims 2-7,9,11-13,15,17-19 and 21 depend.

Applicant maintains that the proposed combination of references still fails to teach or suggest a fluid control body received in a fluid housing. The office action argued that the proposed combination of Zapf '470 in view of Giordana '260 teaches or suggests element 2, which is argued to be the fluid body, connected to an assembly which could be considered a fluid housing. Applicant respectfully disagrees. Below is Fig. 1 of Zapf '470.



The specification of Zapf '470 states that the housing 2 is connected to the solenoid portion 16. See Zapf '470 at col. 4, lines 23-25. As shown above, the assembly that the housing 2 is attached to is a solenoid and not a fluid housing as

recited in the rejected claims of the present application. Giordana '260 does not remedy this deficiency since the fluid housings, 9, 4 are also within a solenoid housing 23. Giordana '260 at Figures 3 and 4 show the valve member 13 inserted into a core piece 9 with the valve member 13 having a spring 17 applying a force against the ball valve 5. Figures 3 and 4 also show the ball valve 5 resting in a seat member 4 and a central seal 20. Giordana '260 does not mention a valve receiving chamber formed by a valve seat portion press fit onto a valve receiving area as claimed. Thus the combination of Zapf '470 in view of Giordana '260 fail to teach a fluid control body received in a fluid housing. For this reason alone the rejection of claims 1-21 should be withdrawn.

The current office action did not address how the proposed combination teaches or suggests a feed supply tube positioned in the central cavity and having an inner bore forming said pressure supply passage. Fig. 2 of Zapf' 470 is shown below.

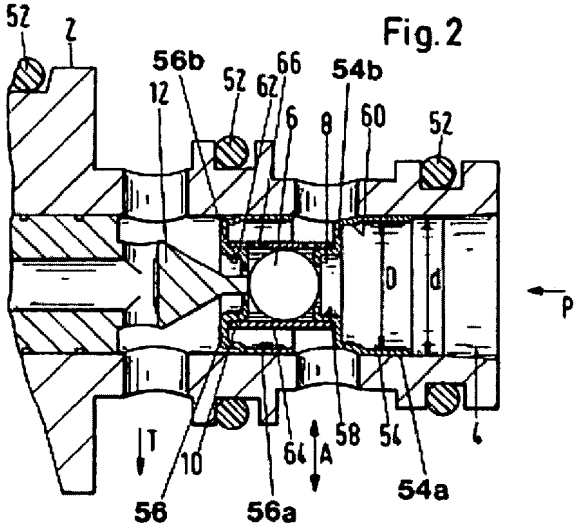


Fig. 2

The office action indicates that the feed supply tube is labeled 64 and the pressure supply passage is labeled P. The office action also argues that 64 is a valve receiving chamber. The rejected claims lay claim to separate components with the feed supply tube having a valve seat receiving area. The valve seat portion is connected to

the valve seat portion of the feed supply tube. Thus 64 as taught by Zapf '470 cannot be both a feed supply tube and a valve seat portion. Assuming arguendo that the element 54 is the feed supply tube having a valve seat portion, Zapf '470 would still not render the rejected claims obvious. The rejected claims state that the feed supply tube is supported in the central cavity by at least one fluid cavity interposed between the feed supply tube and the fluid control body. Zapf '470 teaches or suggests press fitting the element 54 into position. See Zapf '470 at Col. 5, lines 1-5. Giordana '260 also does not teach or suggest such a structure. For this reason alone the proposed combination of Zapf '470 in view of Giordana '260 fails to teach or suggest all of the limitations of the rejected claims. Removal of the rejection is requested.

A further point to the above argument is that the proposed combination does not teach or suggest a valve contained in the valve receiving chamber. If the portion of Zapf '470 labeled 64 is the feed supply tube then it should not have the proposed valve member "6" within it because the valve as recited in the rejected claims is contained in the valve receiving chamber. See independent claims 1, 10 and 16 from which claims 2-7, 9, 11-13, 15, 17-19 and 21 depend. Giordna '260 fails to remedy the defects of Zapf '470 and save the case of obviousness presented in the Office Action. Giordana '260 does not teach or suggest a feed supply tube having "an inner bore forming said pressure supply passage" or "a valve contained in said valve receiving chamber" as recited in the rejected claims. Therefore Applicant maintains that the proposed combination will fail. Applicant respectfully requests removal of the rejection of claims 1-7, 9-13, 15-19, and 21 and allowance thereof.

In further regard to the rejection of claims 1-7, 9-13, 15-19, and 21, the Examiner has stated it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the solenoid fluid control valve of Zapf '470 by using a

plastic seat member as taught by Giordana '260 in order to improve the sealing at the valve seat and to reduce the weight of the total weight of the valve assembly.

Independent claims 1, 10, and 16, contain the element of a valve seat portion being made of a plastic material and press fit onto a valve seat receiving area to form a valve receiving chamber. The Examiner is in agreement that Zapf '470 does not teach this element of the rejected claims. See office action at ¶ 1. Giordana '260 does not make up for the deficiencies of Zapf '470. Giordana '260 teaches the **ball 5 bearing on an abutment 19 of seat member 4 and also on a central seal 20** formed with an axial hole 21. See Giordana '260 at Col. 2, lines 47-54. The central seal 20 can be made of plastic mould. See Giordana Col. 3, lines 1-2. However, the element 20 is clearly a seal and not a seat for the valve. The disclosure of Giordana '260 contains some conflicting terms but the drawings clearly show the ball seated on the abutment 19. Therefore, Applicant maintains that the proposed combination of Zapf '470 in view of Giordana '260 does not teach or render obvious all of the limitations of rejected independent claims 1, 10 and 16. Furthermore rejected dependent claims 2-7, 9, 11-13, 15, 17-19 and 21 also contain the limitations of their respective independent claims and would likewise be allowable.

CONCLUSION

It is respectfully submitted that in view of the above amendments and remarks the claims 1-21, as presented, are patentably distinguishable because the cited patents, whether taken alone or in combination, do not teach, suggest or render obvious, the present invention. Therefore, Applicant submits that the pending claims are properly allowable, which allowance is respectfully requested.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

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Dated: 5-29-07

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